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American Commonwealths. Connecticut. A study of a Commonwealth-Democracy. By ALEXANDER JOHNSTON. Boston and New York, Houghton, Mifflin & Co., 1887. — 12mo, 409 pp.

Realizing the difficulty of treating fully the history of Connecticut in the limited space at his disposal, Professor Johnston has devoted the major part of his book to a study of the growth of democracy in that state, its bearing on the other states, and eventually on the United States. Dealing with the histories of three separate colonies, he traces the success of Connecticut in absorbing its rivals to its being the more democratic, and he makes the bold claim that Hartford is the "birthplace of American democracy"—a statement that will probably be questioned by the Massachusetts historian. But even if the claim be allowed, it was but a seventeenth century democracy. None had the right of suffrage but admitted freemen of a certain property qualification; and Palfrey believed that, even in Plymouth and Connecticut, church membership exercised a controlling, although constitutionally unwarranted, influence. The submission of the minority to the majority was in the early history of the colony almost unknown—secession following defeat.

As a result of the author's plan of treatment, one half of the volume is devoted to the first thirty-five years (1630-1665), while the other half passes rapidly over the next two hundred (1665-1865), involving of necessity many omissions, and wholly inadequate notice, notably, of the Hartford conventions of 1780 and 1815. But the space devoted to the early history has enabled Professor Johnston to give a most accurate and able analysis of the New England "town" system.

In the chapter on the jurisdiction of the territory, Professor Johnston pronounces the title of Warwick mythical, and, as a consequence, his transfer to Say and Sele and others a "mere quit-claim" and "nullity," so that the charter of 1662 was the "first legal title to Connecticut." The Warwick grant does not seem to me quite mythical. Warwick transferred "for . . . considerations" his rights to Say and Sele and others, who it is supposable would have investigated his title, and the publicity given to the transfer would certainly have called forth a protest from the Plymouth company if they had denied his right. Say and Sele and his co-partners certainly believed they had acquired a title; for they commissioned Winthrop and Fenwick to act for them in the territory. Massachusetts in her commission to the settlers acknowledged the rights of the lord proprietors; and Fenwick, in his unauthorized and valueless sale of 1644, plainly shows that he still regards them as proprietors; while the granting of the same territory to Richmond, Carlisle, Gorges and Hamilton by the Council, in 1635, is probably but another example of the ignorance and carelessness in the granting of land which is shown

in so marked a manner, in the present volume, in the New York, Pennsylvania and Connecticut charters ; and this supposition is made stronger by the fact that the latter grants never received the great seal.

There is a noticeable disposition towards special pleading. Whether the question be one that touches the rival colony of New Haven, or the other colonies with which Connecticut came into collision, one feels that the writer is rather a partisan of the state. Thus the *onus* of the first blow at the New England confederation is given to Massachusetts, though in reality Connecticut took the first step in laying an impost, Massachusetts having originally demanded the free navigation of the Connecticut as a condition of union. Again, if it is the historian's pleasure to quote from Washington's order his favorable opinion of the Connecticut brigade, is it not the historian's duty to mention as well Washington's anger at what he termed their "dirty, mercenary spirit"? Nowhere, however, is the tendency of the book more open to exception than in the chapter on the Federal constitution. Professor Johnston claims : (1) that Connecticut was not a "small state" ; (2) that her delegates were "quite prepared" to have at least a part of the new government chosen by the people ; (3) that Franklin's influence was cast for the "Connecticut proposal" ; and (4) that it was from the Connecticut delegation that we obtained our present system of representation. Yet Connecticut, both by her votes and actions, placed herself with the small states. Far from being prepared to give proportional representation in a part of the legislature, one of her delegates openly spoke against the two branches and demanded that "the people should have as little to do as may be about the government" ; and her uniting with the other states on the "New Jersey plan" certainly showed that she desired to continue the system of the Articles of Confederation. Franklin strongly opposed the Connecticut proposal, and only yielded his vote when it became evident that without a compromise union was impossible. To refer our present system to Connecticut is manifestly wrong. It was the result of a compromise between the large and the small states, the large states yielding their consent because they knew that either the convention would break up or the arrival of the New Hampshire delegation would give the small states a possible majority. According to Madison, Sherman's motion of June 11th, on which Professor Johnston bases his claim, was virtually anticipated by Dickinson's of the 7th.

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The American Electoral System. By CHARLES A. O'NEIL, LL.B. New York, G. P. Putnam's Sons, 1887. — 284 pp.

Mr. O'Neil has undertaken in this work "to trace step by step, year by year, the growth and establishment of fixed principles of law, apper-